

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS'S MEETING**  
**GOVERNMENTAL CENTER**  
**Tuesday, November 8, 2005**

**Present:** Commissioner President Thomas F. McKay

**Commissioner Kenneth R. Dement**

**Commissioner Lawrence D. Jarboe**

**\*Commissioner Thomas A. Mattingly, Sr.**

**Commissioner Daniel H. Raley**

**George G. Forrest, County Administrator**

**Susan J. Wolfe, Acting Senior Administrative Coordinator (Recorder)**

***Susan Wolfe recorded the following meeting minutes:***

**CALL TO ORDER**The meeting was called to order at 9:10 a.m.**APPROVAL OF CHECK REGISTER**Commissioner Raley moved, seconded by Commissioner Jarboe, to authorize the Commissioner President to sign the Check Register. Motion carried, 4-0.**APPROVAL OF MINUTES**Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners's Joint Public Meeting with the Delegation re 2006 Legislative Proposals, Wednesday, October 19, 2005. Motion carried, 4-0.

Commissioner Raley moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners's meeting of Monday, October 31, 2005. Motion carried, 4-0.

Commissioner Jarboe moved, seconded by Commissioner Dement, to approve the minutes of the Commissioners's meeting of Tuesday, November 1, 2005. Motion carried, 4-0.

***\*Commissioner Mattingly joined the meeting.***

**PROCLAMATION: AMERICA RECYCLES WEEK** (George Erichsen, Director, and Richard Tarr, Solid Waste Manager, Department of Public Works & Transportation)**Action: Commissioner Mattingly moved, seconded by**

**Commissioner Dement, to approve and authorize the signing of the Proclamation for *America Recycles Week*, November 12-19, 2005. Motion carried, 5-0.**

## **COUNTY ADMINISTRATOR**

**1. Draft Agendas for November 15 and 22, 2005**

**2. Department of Public Works & Transportation (George Erichsen, Director)**

**a. Commissioner Mattingly moved, seconded by Commissioner Dement, to approve and authorize the Commissioner President to sign the Easement Agreement between the Board of County Commissioners and the Southern Maryland Electric Cooperative, Inc., for the purpose of providing electrical service to the new hanger building at the St. Mary's County Airport. Motion carried, 5-0.**  
**b. Commissioner Dement moved, seconded by Commissioner Raley, to sign a Resolution authorizing the filing of an application with the Mass Transit Administration of the Maryland Department of Transportation for a Section 5311 Grant and to authorize the Commissioner President to sign the FY2007 Transportation Grant Assurance. Motion carried, 5-0.**

**3. Department of Economic & Community Development (*John Savich, Director, and***

***Carolyn Laray, Tourism Manager*)**

**Commissioner Raley moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the FY2006 County Cooperative Tier II Marketing Grant Agreement between the Maryland Tourism Development Board and the Board of County Commissioners and Budget Amendment reflecting a decrease in the FY2006 Tourism Marketing Grant Agreement by \$1,368. Motion carried, 5-0.**

**4. St. Mary's County Housing Authority (*Dennis Nicholson, Executive Director, and***

***Tonja Fraser-Jenkins, Program Manager*)**

**Commissioner Raley moved, seconded by Commissioner Dement, to authorize the Board of County Commissioners to sign the letter in support to the Maryland Department of Housing & Community Development which will enable families meeting the Home Initiatives program eligibility requirements to acquire and rehabilitate existing dwelling units. Motion carried, 5-0.5. Department of Public Safety (*Bob Kelly, Acting Director, and Shirley Copado, Manager, Emergency Communications*) Commissioner Mattingly moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the Education Grant Agreement between the Maryland Institute for Emergency Medical Services (MIEMS) and St. Mary's County for the FY2006 MIEMSS EMD Funding Grant and the related budget amendment to increase the revenue and expenditures in the FY2006 approved budget to match the grant award. Motion carried, 5-0.**

**6. Board, Committees & Commissions: Agency Appointment Letters Commissioner Jarboe moved, seconded by Commissioner Dement, to sign letters appointing the following to the Adult Guardianship Review Board: Claudette T. Jordon (Department of Social Services representative); Jennie Page (Department of Aging representative); Patricia Simone (St. Mary's County Health Department representative); and Alexis Zoss. Motion carried, 5-0. Commissioner Mattingly moved, seconded by Commissioner Jarboe, to sign letter appointing Robert Miedzinski as the primary representative of Leonardtown Volunteer Rescue Squad to the Emergency Services Committee. Motion carried 5-0.7. County Attorney (*John Norris*)**

**Commissioner Dement moved, seconded by Commissioner Jarboe, to approve and authorize the Commissioner President to sign the deed accepting the Courthouse property. Motion carried, 5-0.**

**The Board of County Commissioners adjourned as the St. Mary's Board of County Commissioners and reconvened as the Board of Health. BOARD OF COUNTY COMMISSIONERS SITTING AS BOARD OF HEALTH**

**Present: Dr. William Icenhower, Health Officer**

**Joyce Sapp, Fiscal Services Officer**

**Nancy Luginbill, Director, Health Services**

**Daryl Calvano, Director, Environmental Health**

**Dr. Icenhower presented the following information:**

**□œ Flu vaccine has been difficult to obtain. The avian flu pandemic is limited to Southeast Asia at this time. There is no vaccine available for this type of flu.**

***Commissioner President McKay asked the Health Department to keep the Board of County Commissioners informed about when additional vaccine becomes available and how it will be distributed.***

**□œ Type II diabetes continues to be a national health concern. The Health Department is setting up a new clinic that will provide free testing and counseling to those identified with diabetes.**

**□œ The Calvex drills continue to go well and Dr. Icenhower suggested they be held more frequently. He expressed concern about evacuation routes during actual emergencies.**

***Commissioner President McKay assured County residents that adequate emergency planning, including effective use of evacuation routes, is in place.***

**□œ Traffic accidents continue to be of concern. Recently the Maryland Secretary of Transportation identified traffic accidents as a public health issue. Dr. Icenhower advised that, through a grant, he is interested in obtaining the services of an epidemiologist to focus on this problem. The Health Department continues to work with the Sheriffs' Department and the Maryland State Police to identify issues of concern.**

**□œ Space for Health Department operations and staff continues to be a problem. One possible interim solution would be to rent space in the recently vacated True Value store next to the Health Department. Dr. Icenhower noted a possible future initiative, i.e., to create a medical campus tying together the St.**

**Mary's Hospital, the Health Department, the Nursing Home and the campus of the College of Southern Maryland.**

***Commissioner President McKay noted the problem and encouraged the Health Department to leverage their existing space.***

Joyce Sapp, Fiscal Services Officer, noted that medical assistance and transportation to health appointments by the Health Department continue to ease the burden of County volunteer emergency services personnel. Additional grant subsidies to expand the transportation services are being requested. The Health Department has implemented a new patient tracking computer system. Also, building security has been upgraded. On behalf of the Health Department, Ms. Sapp expressed sincere appreciation to the staff of the Department of Public Works & Transportation for excellent building maintenance and grounds work.

Nancy Luginbill, Director, Health Services, provided an in depth review of the flu vaccine shortage problem. The Health Department used its first 500 shots quickly. An additional 5,500 have been requested and should arrive within the next two to three weeks. She reported that most County long-term care facilities have already received and administered the vaccine. She will keep the Board of County Commissioners informed as to the Department's progress in this matter. Also, through the Women's Wellness Program, in cooperation with St. Mary's Hospital, free mammograms continue to be provided to women who qualify through the program. In calendar year 2004, 287 women were seen, 279 mammograms were done, and, as a result, three new breast cancer cases were identified. She urged all County female residents to screen regularly for breast and cervical cancer. The phone number of the Women's Wellness Program is 301-475-4392.

Daryl Calvano, Director, Environmental Health, gave a brief report on rabies and animal bite investigations noting that, in 2005, five raccoon, two skunk, four fox and one cat rabies cases have been identified. This year, the number of rabies cases has increased to 60, with 12 positive results.

#### **PUBLIC HEARING: 2005 LAND PRESERVATION, PARKS AND RECREATION PLAN**

**Present: Phil Rollins, Director, Recreation & Parks Department**

**Denis Canavan, Director, Land Use & Growth Management**

**John Savich, Director, Economic & Community Development**

**Clive Graham, Senior Planner, Environmental Resources Management, LUGM**

**Accompanied by: Donna Sasscer, Agriculture/Seafood Development Manager, DECD; Jeff Jackman, Senior Planner, and Sue Veith, Environmental Planner, LUGM; Kathy**

**Bailey, Senior Administrative Coordinator, R&P;  
George Baroniak, Chairman, Agricultural  
Preservation Advisory Board; and Coleman  
Hillman, Vice Chairman, Recreation & Parks  
Advisory Board.**

**Mr. Rollins advised that notice of the hearing was duly advertised in the *St. Mary's Today* newspaper on October 23 and 30, 2005, and posted on the County website. The preliminary draft plan was presented to the Board of County Commissioners on March 8, 2005. Mr. Graham presented highlights**

**from the revised draft report, *St. Mary's County 2005 Land Preservation, Parks, and Recreation Plan*, and noted content and language changes suggested by the Board of County Commissioners.**

***Commissioner Raley asked about state involvement in the approval of the Plan. Mr. Graham responded that the state will review the Plan, and it does have control over the Open Space formula applicable to counties.***

***Commissioner Mattingly requested that several additions be made to the report mentioning other effective County initiatives including the 50% undeveloped area in new subdivision construction and density transfer. These two initiatives will be included in the revised report. He also suggested editorial changes in the Executive Summary.***

***Commissioner Jarboe expressed concern about the decline in the market value of agricultural products sold.***

***Mr. Savich noted that discussion of targets for agricultural preservation should also be revised.***

***All agreed that the County should receive credit for these additional initiatives.***

**There was no public comment. The public comment record will be open for ten days following the hearing.**

#### **APPOINTMENT OF MACo LEGISLATIVE COMMITTEE MEMBER AND ALTERNATE**

**Commissioner Mattingly moved, seconded by Commissioner Jarboe, to appoint Commissioner President McKay as a member of the MACo Legislative Committee, with Commissioner Mattingly as alternate. Motion carried, 5-0.**

## **COMMISSIONERS OF TIME**

### **Commissioner Dement**

Attended the ribbon-cutting ceremony for the renovation of the Wicomico Shores public landing.

Attended the annual banquet of the Hollywood Rescue Squad.

Attended the Oyster Meeting sponsored by the St. Mary's County Agriculture, Seafood and Forestry Commission.

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### **Commissioner Mattingly**

Expressed appreciation for the messages of condolence received by his family.

Apologized for inability to attend several functions.

### **Commissioner Jarboe**

Invited the commissioners to the annual Chili Cookoff on November 13, sponsored by ABATE at the Back Road Inn.

### **Commissioner Raley**

Attended the annual banquet of the Hollywood Rescue Squad.

Attended the Oyster Meeting sponsored by the St. Mary's County Agriculture, Seafood and Forestry Commission.

Noted that, in December, a call will go out for citizen involvement in County board, commissions and committees. He urged citizens to consider participation in these worthwhile organizations.

### **Commissioner President McKay**

Attended the annual banquet of the Hollywood Rescue Squad.

Attended the COSMIC orchestra concert at Chopticon High School.

Reminded citizens of the Veterans Day Parade to be held on November 11 in Leonardtown at 10:00 a.m., including the Anheuser-Busch Clydesdale horses, as well as veterans' observances at the Charlotte Hall Veterans Home, and Hills Country Store in Helen.

**PUBLIC HEARING: PROPOSED ZONING ORDINANCE TEXT AMENDMENTS FOR THE RIGHT TO FARM AND AMENDMENT TO THE COUNTY CODE WITH THE ADDITION OF A NEW CHAPTER 254**

Present: Denis Canavan, Director, Land Use & Growth Management  
Commissioner President McKay began the hearing by reading the poem, *Man Who Feeds America*.

Mr. Canavan advised that notice of the hearing was duly advertised in the *St. Mary's Today* newspaper on October 23 and 30, 2005, and posted on the County website. He said that the purpose of the proposed text amendments is to revise the language and the definitions to afford greater protection for a person's right to farm and engage in agricultural activities.

*Commissioner Raley asked if notices would go out from the County Treasurer next year advising citizens living next to farms and agricultural operations about the proposed text amendments. Mr. Canavan indicated that would be done.*

The following citizens spoke in favor of the text amendments:

- Walter Raum, 43303 St. Andrews Church Road, Leonardtown
- Donald Strickland, 46033 Strickland Road, Great Mills
- Rudy Baliko, 45486 Locust Grove Road, Valley Lee
- John Parlett, Charlotte Hall
- Robert Jarboe, 20040 Pear Hill Road, Leonardtown
- Michael Bean, 44575 Granddaddy Lane, Callaway
- Bubby Norris, 23678 Hurry Road, Chaptico

**- Linda Vallandingham, 21705 Indian Bridge Road, California**

**- Joseph Wood, Mechanicsville; President, St. Mary's County Farm Bureau**

**- Bernard Siebert, 50447 Hays Bench Road, Scotland**

**Also, Mr. Kurt Fuchs, Maryland Farm Bureau, spoke in favor of the text amendments and complimented the efforts of St. Mary's County regarding the Right to Farm.**

**Mr. Siebert questioned whether the Board of County Commissioners had already formed their opinions regarding this issue prior to the Public Hearing. He referred to an Internet article citing a recent discussion with Commissioner Jarboe that the commissioners were in support of the specific text amendments. Commissioner Jarboe responded that he did not make that comment and could not have referred to specific chapter numbers as they were first presented during today's Public Hearing.**

**The public comment record will be open for ten days following the hearing.**

#### **PUBLIC HEARING: PROPOSED AMENDMENT TO THE SENIOR TAX CREDIT ORDINANCE**

**Present: John Norris, III, County Attorney**

**Mr. Norris advised that notice of the hearing was duly advertised in the October 30 and November 6, 2005 issues of St. Mary's Today, as well as on the County website. The purpose of the hearing is to amend Chapter 267 of the Code of Public Laws of St. Mary's County to establish the St. Mary's County Senior Property Tax Credit Review Committee.**

**The following citizens spoke in favor of the amendment:**

**- Pat Myers, 37440 Asher Road, Mechanicsville; President, Chapter 969, National Active and Retired Federal Employees Association**

**- Mary Ruth Horton, 44193 St. Andrews Lane, California; Chairman, Commission on Aging**

**- Clare Whitbeck, 40502 Post Place,  
Leonardtown**

**- Bernard Goldsborough, Legislative  
Chairman, Chapter 969, NARFE**

**The public comment record will be open for ten days following the hearing.  
CEREMONY**

**Present: Judge Marvin S. Kaminetz**

**Judge C. Clarke Raley**

**Judge Karen H. Abrams** The Commissioners attended a ceremony on the steps of the St. Mary's County Courthouse to accept the conveying of the deed to the courthouse property to the County Commissioners.

**ADJOURNMENT**

**The meeting adjourned at 2:55 p.m.**

**Minutes approved by the Board of County Commissioners on**

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**Susan Wolfe, Acting Senior Administrative Coordinator**